

**U.S. Department of Labor**

Mine Safety and Health Administration  
201 12th Street South  
Arlington, Virginia 22202-5452

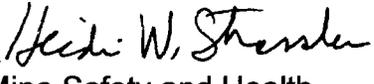


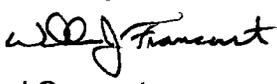
MAR 02 2016

MEMORANDUM FOR NEAL H. MERRIFIELD  
Administrator for Metal and  
Nonmetal Mine Safety and Health

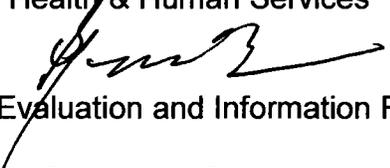
FROM:

JEFFREY A. DUNCAN   
Committee Chair  
Director for Educational Policy and Development

HEIDI W. STRASSLER   
Associate Solicitor for Mine Safety and Health

WILLIAM J. FRANCAERT   
Acting Director of Technical Support

TEDDI F. EISEN, M.D., FACOEM   
Reviewing Medical Officer, Contractor  
Federal Occupational Health  
Program Support Center  
U.S. Department of Health & Human Services

SYED HAFEEZ   
Director, Program Evaluation and Information Resources

SUBJECT: Chargeability Review Committee Decision

**Case No.:** 2015-M-42-

**Deceased:** 

**Date of Incident:** October 22, 2015

**Date of Death:** October 25, 2015

**Operator:** Luck Stone Corporation

**Mine:** Powhatan Plant

**Autopsy Conducted:** Not Performed

**Death Certificate Released:** December  
11, 2015

**Decision:** Not chargeable

In a unanimous decision, the Chargeability Review Committee has determined that the death of [REDACTED] should not be charged to the mining industry. Mr. [REDACTED], a 57-year old heavy equipment operator, was tramping an excavator when he radioed the plant operator to say that he was feeling ill and needed assistance. He then complained of chest pain when co-workers found him in the excavator cab. He was transported to a local hospital, and died while awaiting open-heart surgery.

MSHA's investigation was conducted between October 26, 2015 and October 27, 2015. No physical or environmental factors that could have contributed to the death were identified. The death certificate listed the cause of death as myocardial infarction as a result of coronary artery disease. An autopsy was not performed.

Based on these findings, the committee members concluded that Mr. [REDACTED]'s death should not be charged to the mining industry.

cc: Joseph A. Main  
Patricia W. Silvey  
Laura V. McClintock